

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office NOV 26 2002

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed DEC 02 2002

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The applicant **Blue Diamond Company Trust**, hereby makes application for permission to change the **Point of Diversion and Place of Use of a portion** of water heretofore appropriated under **Permit No. 65215**

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1. The source of water is **Underground**
2. The amount of water to be changed **1.08 cfs**
3. The water to be used for **Irrigation and Domestic**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **in the SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 9, T.3N., R.48E., MDB&M., or at a point from which the West  $\frac{1}{4}$  corner of said Section 9 bears S. 63°30' W. a distance of 2930 feet.**
6. The existing permitted point of diversion is located within **SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 9, T.3N., R.48E. MDB&M., or at a point from which the West  $\frac{1}{4}$  corner of Section 9 bears N. 02°25'30" W. a distance of 1330.0 feet.**
7. Proposed place of use **Portions of W $\frac{1}{2}$  of SW $\frac{1}{4}$  of Section 16, Portions of E $\frac{1}{2}$  of NE $\frac{1}{4}$  of Section 20, and Portions of W $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 21 T.3N., R.48E., MDB&M., total of 176 acres.**
8. Existing place of use **E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 8; S $\frac{1}{2}$  of NW $\frac{1}{4}$ , SW $\frac{1}{4}$  and W $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 9; NW $\frac{1}{4}$ , W $\frac{1}{2}$  of NE $\frac{1}{4}$ , W $\frac{1}{2}$  of SE $\frac{1}{4}$  and E $\frac{1}{2}$  of SW $\frac{1}{4}$  of Section 16; E $\frac{1}{2}$  of NE $\frac{1}{4}$  of Section 17, T.3N., R.48E., MDB&M. 880 acres**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **well, pump, pivot systems, pipe lines as needed.**
12. Estimated cost of works **\$30,000.00**
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **4 years**
15. Remarks: **This application is to move the corner areas outside of the pivot areas, and to move the source of water noted on Application No. 68614**

By **Ernest E. Muller, Sr.**  
s/**Ernest E. Muller**  
**750 W. Pueblo St.**  
**Reno, NV., 89509-2664**

Compared cmf/cac lb/cmf

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 65215 is issued subject to the terms and conditions imposed in said Permit 65215 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 22621, Certificate 7061; 22622, Certificate 7062; 65213, 65214, 65215, 69334, 69335, 69336 and 69434 shall not exceed 3,520 acre-feet annually for the irrigation of 880 acres.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.08 cubic feet per second, but not to exceed 256 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

January 8, 2005

Proof of completion of work shall be filed before:

February 8, 2005

Water must be placed to beneficial use on or before:

January 8, 2006

Proof of the application of water to beneficial use shall be filed on or before:

February 8, 2006

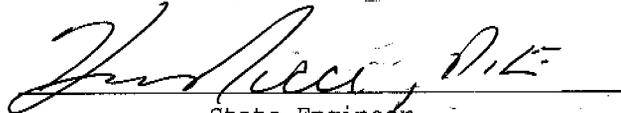
Map in support of proof of beneficial use shall be filed on or before:

February 8, 2006

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 18th day of August, A.D. 2003

  
State Engineer

Completion of work filed MAR 01 2005

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_